

### REMARKS

Claims 10, 12-14, 16-19, 21-36, 38, 40, 41, 43, 44, 46, 47, 49-62, 64-69, 71-76, 78-92, 101, 102, 104, 107-109, 111, 112, and 117-136 were pending in this case. This amendment adds new claims 138-142. Claims 130-132 and 134 have been canceled without prejudice or disclaimer to reduce excess claims fees. Claims 12, 21, 32, 53, 56, 57, 60, 79, 101, 102, 104, 107-109, 117-129, 133, 135, and 136 have been amended as detailed below. Claims 10, 12-14, 16-19, 21-36, 38, 40, 41, 43, 44, 46, 47, 49-62, 64-69, 71-76, 78-92, 101, 102, 104, 107-109, 111, 112, 117-129, 133, 135-142 are now in this case.

Claims 10, 16-19, 22-28, 30-41, 43, 44, 46, 47, 49-62, 64-69, 71-76, 78-92, 111 and 112 are allowed.

Claim 12 was rejected and claims 13 and 14 were objected to as dependent upon a rejected claim.

The disposition of claims 21, 29, 101, 102, 104, 107-109, and 117-136 was not listed in the latest Office Action (mailed Nov. 26, 2004).

That action was made final. However, because the disposition of the listed claims was not given in the Office Action, Applicant submits that imposition of final rejection is not proper. Applicant respectfully requests reconsideration and withdrawal of the finality of rejection.

#### Amendments to the Claims

New claims 138-142 have been added. Claim 138 is supported in the specification at page 17 in formula A1 and in the definitions of L on page 15, line 19, Q (as N) on page 17, line 15 and R<sub>1</sub>, R<sub>3</sub>, R<sub>4</sub>, and R<sub>6</sub> as defined on page 17, lines 12-17 with the additional recitations that the alkyl alkenyl and alkynyl groups have 8-24 carbon atoms (as supported on page 50, line 26, and page 51, lines 4 and 12). Definitions of other variables are supported in the specification

and in the original claims. Claims 139-142 depend from claim 138 and are supported as noted above and in the original claims.

Claim 12 has been amended to recite that in the compound "at least two of R<sub>1</sub>, R<sub>3</sub>, R<sub>4</sub>, and R<sub>6</sub>, are straight-chain, branched, or cyclic alkyl, alkynyl, or alkenyl groups having from 8 to 24 carbon atoms attached to each N."

Claim 21 has been amended to recite that in the "at least one of R<sub>1</sub> and R<sub>4</sub> is a straight-chain, branched, or cyclic alkyl, alkenyl, or alkynyl having from 8 to 24 carbon atoms.

Claim 32 has been amended to recite that "R<sub>1</sub> and R<sub>4</sub> is a straight-chain, branched, or cyclic alkenyl, or alkynyl group having 8 to 24 carbon atoms."

Claim 135 was amended to recite "8 to 24 carbon atoms."

Claim 136 was amended to correct a clerical error by removing an extraneous "from."

Claims 53, 56, 57, 60 and 79 have been amended to make them depend respectively from claims 55, 55, 55 and 78. This amendment does not change the scope of these claims and was made to reduce the number of independent claims in the case.

Multiply dependent claims 101, 102, 104, 107, 108, 109, and 117-130 have been amended such that they each recite dependence from any one of claims- 12, 16, 21, 29, 32, 33, 35, 38, 41, 46, 49, 55, 64, 71, 78, 85 or 138.

Claims 130-134 improperly depended from a multiply dependent claim. Claim 133 was rewritten as a multiply dependent claim incorporating the

language of claim 128 from which it depended. Claims 130-132 and 134 were canceled to avoid a significant increase in the number of claims.

None of the amendments to the claims represents the addition of new matter.

#### The Rejection


Claims 12 was rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, because it was alleged that the phrase "8 to about 24 carbon atoms" was not supported in the specification. Claim 12 has been amended to recite 8-24 carbon atoms which is supported in the specification at page 50, line 26, and page 51, lines 4 and 12. This amendment obviates the rejection of claim 12. Claim 12 should be considered allowable over this rejection and the objection to claims 113 and 114 should be withdrawn.

No rejection was made of claims 21, 29, 101, 102, 104, 107-109, or 117-136.

Conclusion

This amendment cancels several multiply dependent claims, makes one claim (claim 133) multiply dependent, makes several independent claims dependent, and adds one independent claim and three dependent claims. It is believed that no excess claims fees are due. If this is incorrect please deduct the required fees from deposit account 07-1969.

Respectfully submitted,

  
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